

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
vs.) No. 12-03029-01-CR-S-BCW
)
)
DERICK JAMES MACK,)
)
)
Defendant.)

REPORT AND RECOMMENDATION

Defendant Mack has filed pro se motions to suppress and for a Franks hearing [Doc 33, 36]. The United States has responded [Doc 50]. Attached to the response are the challenged affidavits.

A review of the four corners of the affidavits establish that probable cause existed for the state search warrants in question. The basis of reliability of the informants is clearly stated. The motions identify no specific false material statements and make no meaningful challenge to probable cause.

It is, therefore

RECOMMENDED that defendant's motion to suppress [Doc 33] and motion for a Franks hearing [Doc 36] be denied.

/s/ James C. England
JAMES C. ENGLAND
United States Magistrate Judge

Date: February 11, 2013